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April 19, 2023

By ECF

Hon. Marcia M. Henry
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: 138-77 Queens Blvd LLC v. Silver, No. 22-cv-5155-KAM-MMH

Dear Judge Henry:

We represent the plaintiff, 138-77 Queens Blvd LLC. At the status conference held before Your Honor on March 2, 2023, Plaintiff advised the Court that it anticipated challenging the defendant's assertion of privilege with respect to certain categories of communications, and the Court directed that any such motion should be made by letter by April 12, 2023 (later extended to April 19, 2023, at the defendant's request [ECF No. 30], by Order dated April 8, 2023).

Based on review of the privilege logs produced to date, Plaintiff has determined that a motion to compel is not warranted at this time. Should further discovery or other developments in the case warrant a motion, Plaintiff shall promptly notify the Court.

Respectfully submitted,



Eric S. Askanase

cc: All counsel (via ECF)